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AZ CORP COMMISSION  
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Brian J. Schulman, Esq. SBN 015286  
*Attorney for Respondent Polly P. McMillan*

**BEFORE THE ARIZONA CORPORATION COMMISSION**

COMMISSIONERS

Arizona Corporation Commission

**DOCKETED**

**AUG-16-2006**

DOCKETED BY

*ME*

JEFF HATCH-MILLER, Chairman  
WILLIAM A. MUNDELL  
MARC SPITZER  
MIKE GLEASON  
KRISTIN K. MAYES

IN THE MATTER OF:

DOCKET NO. S-20452A-06-0218

DAVID LEE MCMILLAN and POLLY P.  
MCMILLAN, husband and wife  
CRD#1828333

**POLLY P. MCMILLAN'S ANSWER**

Respondents.

Respondent Polly P. McMillan (Ms. McMillan) hereby submits her Answer to the Notice of Opportunity for Hearing Regarding Proposed Order to Cease and Desist, For Restitution, For Administrative Penalties, of Revocation, and for Other Affirmative Action (the "Notice").

**I.**

**JURISDICTION**

1. Ms. McMillan admits the allegations in paragraph 1.

**II.**

**RESPONDENTS**

2. Ms. McMillan, upon information and belief, affirmatively alleges that her former husband David Lee McMillan no longer resides at 217 Riverfront Drive, Bullhead City, Arizona 86442. Ms. McMillan is without sufficient information or knowledge to form a belief as to the truth or falsity of the remaining allegations in paragraph 2 and, therefore, denies the same.

3. Ms. McMillan admits that she resides at 233 Riverfront Drive, Bullhead City, Arizona 86442, but she denies the remaining allegations in paragraph 3.

4. Ms. McMillan denies the allegation in paragraph 4.

5. No response is required to paragraph 5.

**III.**

**FACTS**

6. Ms. McMillan is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations in paragraph 6 and, therefore, denies the same.

7. Ms. McMillan is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations in paragraph 7 and, therefore, denies the same.

8. Ms. McMillan is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations in paragraph 8 and, therefore, denies the same.

9. Ms. McMillan is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations in paragraph 9 and, therefore, denies the same.

10. Ms. McMillan is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations in paragraph 10 and, therefore, denies the same.

11. Ms. McMillan is without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations in paragraph 11 and, therefore, denies the same.



VII.

HEARING OPPORTUNITY

Ms. McMillan has requested a hearing.

AFFIRMATIVE DEFENSES

1. For her first affirmative defense, Ms. McMillan alleges that the Division's claims for relief against Ms. McMillan and the former marital community are barred by res judicata.

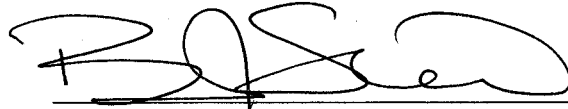
2. For her second affirmative defense, Ms. McMillan alleges that the Division's claims for relief against Ms. McMillan and the former marital community are barred by collateral estoppel.

3. For her third affirmative defense, Ms. McMillan alleges that the Division has failed to state a claim upon which relief may be granted.

4. For her fourth affirmative defense, Ms. McMillan alleges that her due process rights have been violated.

Dated this 16<sup>th</sup> day of August, 2006.

GREENBERG TRAURIG, LLP



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Docket Control  
1200 West Washington Street  
Phoenix, Arizona 85007

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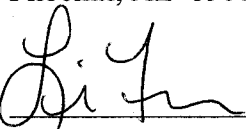
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